

Records

Chapter 1 Records Retention

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Chapter 1 Records Retention

Sec. 4-1-1 Purpose.

The purpose of this Chapter is to establish a Countywide records retention schedule and authorize destruction of Bayfield County records pursuant to that schedule on an annual basis. Record custodians do not have the authority to destroy records prior to the established retention period unless such records have been photographically reproduced as original records pursuant to Sec. 16.61(7), Wis. Stats.

Sec. 4-1-2 Historical Records; Waiver of Notification.

The State Historical Society of Wisconsin (SHSW) has waived the required statutory sixty (60) day notice under Sec. 19.21(5)(d), Wis. Stats., for the records marked "Waived." SHSW must be notified prior to the destruction of records marked "Notify." Notice is also required for any record not listed in this Chapter. "N/A" indicates the SHSW notice requirement is not applicable and applies to all County records designated for permanent retention.

Sec. 4-1-3 Destruction After Request for Inspection.

No requested record may be destroyed until after the request is granted or sixty (60) days after the request is denied. If an action is commenced under Sec. 19.37, Wis. Stats., the requested record may not be destroyed until a court order is issued and all appeals have been completed. (See Sec. 19.35(5), Wis. Stats.)

Sec. 4-1-4 Destruction Pending Litigation.

No record subject to pending litigation shall be destroyed until the litigation has been resolved.

Sec. 4-1-5 Microfilming of Department Records.

Departments may keep and preserve public records through the use of microfilm providing that the microfilming meets the applicable standards established in Sec. 16.61(7), Wis. Stats. Departments should consider factors such as the retention period and estimated cost of the microfilming in deciding which records to microfilm. After verification, paper records can be destroyed if these records are to be preserved on microfilm. For microfilmed records not identified as permanent, the above records retention period applies.

Sec. 4-1-6 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Legal Custodian.** The individual responsible for maintaining records pursuant to Sec. 19.33, Wis. Stats.
- (b) **Record.** Record as defined in Sec. 19.32(2), Wis. Stats.

Sec. 4-1-7 Records Retention/Disposition Schedule.

Bayfield County shall retain and dispose of all records pursuant to the *County Records Retention/Disposition Schedule – 2010*, including the Addenda thereto, a copy of which is on file with the County Clerk. If the Schedule does not identify a particular record, the minimum retention and time limits set forth in any applicable state or federal statutes shall apply. If the Schedule does not identify a particular record and no other state or federal statute is applicable, then such record shall be kept a minimum of seven (7) years.